

5        an affirmative refill word indicia being positioned on said elongated member and  
         being positioned adjacent to said first end, a negative refill word indicia  
         being positioned on said elongated member and being positioned adjacent  
         to said second end; and

         wherein the first color indicia indicates that a refill is requested while the second  
10        color indicia indicates that a refill is not desired.

         2.        (original) The drink refill indicator of claim 1, wherein said elongated  
         member comprises a tubular member.

15        3.        (original) The drink refill indicator of claim 2, wherein said elongated  
         member has a substantially circular cross-section taken traverse to a longitudinal axis of  
         said elongated member.

         4.        (original) The drink refill indicator of claim 1, wherein said elongated  
20        member has a substantially circular cross-section taken traverse to a longitudinal axis of  
         said elongated member.

         5.        (original) The drink refill indicator of claim 1, wherein said first color  
         indicia comprises a green color and said second color indicia comprises a red color.

25        6.        (original) The drink refill indicator of claim 2, wherein said first color  
         indicia comprises a green color and said second color indicia comprises a red color.

         Claims 7 and 8 (cancelled)

30        9.        (original) A drink refill indicator comprising:  
         an elongated member for removably positioning in a drink container, said  
         elongated member having a first end and a second end, said elongated  
         member comprising a tubular member, said elongated member having a

5 substantially circular cross-section taken traverse to a longitudinal axis of  
said elongated member;  
a first color indicia being positioned on an outer surface of said elongated member  
and generally extending from said first end to a middle of said elongated  
member, said first color indicia comprising a green color;  
10 a second color indicia being positioned on an outer surface of said elongated  
member and generally extending from said second end to a middle of said  
elongated member, said second color indicia comprising a red color;  
an affirmative refill word indicia being positioned on said elongated member and  
being positioned adjacent to said first end; and a negative refill word  
15 indicia being positioned on said elongated member and being positioned  
adjacent to said second end.